

## MINUTES

CASE NUMBER: CV 07-00224SOM-KSC  
CASE NAME: Mario Garibaldi-Lopez vs. USA  
ATTYS FOR PLA: Benjamin Martin  
ATTYS FOR DEFT: Michael Kawahara  
INTERPRETER:

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JUDGE:	Susan Oki Mollway	REPORTER:	Lisa Groulx
DATE:	8/31/2007	TIME:	9:00 - 9:25

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COURT ACTION: EP: Continued Hearing on Motion to Vacate, Set Aside, or Correct Sentence -

Defendant Mario Garibaldi-Lopez present and in custody.

Mr. Benjamin Martin informed the Court that he has been retained as counsel for the defendant, and requests additional time.

This hearing is continued to 11/5/07 @ 9:00 a.m. SOM.

Mr. Martin may file a supplemental memorandum by 10/1/07.

If any new grounds are raised, he must indicate why he is allowed to do this, and show that it is timely.

Government to respond by 10/15/07.

Any optional reply may be filed by 10/24/07.

Court informs Mr. Martin that this hearing is not set as an evidentiary hearing.

However, if there is a basis for an evidentiary hearing, he must indicate so in his filing of 10/1/07.

Defendant remanded to the custody of the USM.

Submitted by: Toni Fujinaga, Courtroom Manager.

